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Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

CIRCUIT CITY STORES, INC., et al.,

Debtors.

Chapter 11

Case No. 08-35653-KRH

(Jointly Administered)

**ORDER GRANTING LIQUIDATING TRUST'S FIFTEENTH AND
FOURTH OMNIBUS OBJECTIONS TO CLAIM NUMBERS 9899 AND 12152**
(Claimant – Bank of America/Capmark)

THIS MATTER having come before the Court¹ on the Liquidating Trust's (1) Fifteenth Omnibus Objection to Landlord Claims (Reduction of Certain Partially Invalid Claims, Reclassification of Certain Misclassified Claims, Disallowance of Certain Invalid Claims, Disallowance of Certain of Late Filed Claims, Disallowance of Certain Duplicate Claims and Disallowance of Certain Amended Claims), (2) Fourth Omnibus Objection to Landlord and Contractor Claims (Reduction of Certain Partially Invalid Claims and Disallowance of Certain Invalid Claims) (collectively, the "Objections"), and (3) Notice of Substantive Hearing ("Notice of Substantive Hearing") that requested, among other things, that (a) claim number 9899 be expunged

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Objections.

as duplicative of claim number 12152; and (b) claim number 12152 be reduced and allowed as a general unsecured claim in the amount of \$50,000.00 (the “GUC Claim”); and it appearing that due and proper notice and service of the Objections and Notice of Substantive Hearing and the hearing (the Hearing”) as set forth therein was good and sufficient and that no other further notice or service of the Objections or the Hearing need be given; and it appearing that the relief requested in the Objections and at the Hearing is in the best interest of the Liquidating Trust, the Debtors’ estates, and creditors and other parties-in-interest; and after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein,

IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

1. The Objections are GRANTED as provided herein.
2. Claim number 9899 is hereby EXPUNGED.
3. Claim number 12152 is hereby reduced and allowed as a general unsecured claim in the amount of \$50,000.00.
4. The Liquidating Trust shall serve a copy of this Order on the claimants as served by the Notice of Substantive Hearing.
5. This Court shall retain jurisdiction to hear and determine all matters arising from or

relating to this Order.

Dated: Feb 2 2017
Richmond, Virginia

/s/ Kevin R Huennekens

HONORABLE KEVIN R. HUENNEKENS
UNITED STATES BANKRUPTCY JUDGE

Entered on Docket:2/2/17

WE ASK FOR THIS:

TAVENNER & BERAN, PLC

/s/ Paula S. Beran

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Counsel for the Circuit City Stores, Inc. Liquidating Trust

CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Paula S. Beran

Paula S. Beran